IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

WSOU INVESTMENTS, LLC d/b/a BRAZOS LICENSING AND DEVELOPMENT,	§	CIVIL ACTION NO. 6:20-cv-575
Plaintiff,	§	**JURY TRIAL DEMANDED**
v.	§	
GOOGLE LLC,	§	
Defendant.	§	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development ("Brazos" or "Plaintiff"), by and through its attorneys, files this Complaint for Patent Infringement against Google LLC ("Google") and alleges:

NATURE OF THE ACTION

1. This is a civil action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §§ 1, *et seq.*, including §§ 271, 281, 284, and 285.

THE PARTIES

2. Brazos is a limited liability corporation organized and existing under the laws of Delaware, with its principal place of business at 605 Austin Avenue, Suite 6, Waco, Texas 76701.

3. On information and belief, Google is a Delaware corporation with a physical address at 500 West 2nd Street, Austin, Texas 78701.

JURISDICTION AND VENUE

4. This is an action for patent infringement which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§ 271, 281, 284, and 285.

5. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has specific and general personal jurisdiction over the defendant pursuant to due process and/or the Texas Long Arm Statute, because the defendant has committed acts giving rise to this action within Texas and within this judicial district. The Court's exercise of jurisdiction over the defendant would not offend traditional notions of fair play and substantial justice because the defendant has established minimum contacts with the forum. For example, on information and belief, the defendant has committed acts of infringement in this judicial district, by among other things, selling and offering for sale products that infringe the asserted patent, directly or through intermediaries, as alleged herein.

7. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400(b). Google is registered to do business in Texas. Google has offices in this District, has transacted business in this District, and has committed acts of direct and indirect infringement in this District. Google also has a regular and established place of business in this District, as set forth below.

8. Since 2007, Google has employed "hundreds" of employees in this District in Austin, Texas.[1] As of August 2018, Google had more than 800 employees in Austin.[2] By June of 2019, Google had more than 1,100 employees in Austin.[3] In January 2019, it was reported that Google "signed a lease for an entire 35-story tower that has started construction just east of the

[1] According to Gerardo Interiano, Google's public affairs and government relations manager, in a statement. *See* http://www.statesman.com/business/google-lease-200-000-square-feet-new-downtown-austin-tower/SANZSa3du8QQ4k8ytOC2rJ/

[2] *See* https://www.statesman.com/news/20190131/source-google-to-occupy-35-story-office-tower-in-downtown-austin

[3] *See* https://www.bizjournals.com/austin/news/2019/06/14/google-confirms-austin-expansion-will-begin-moving.html

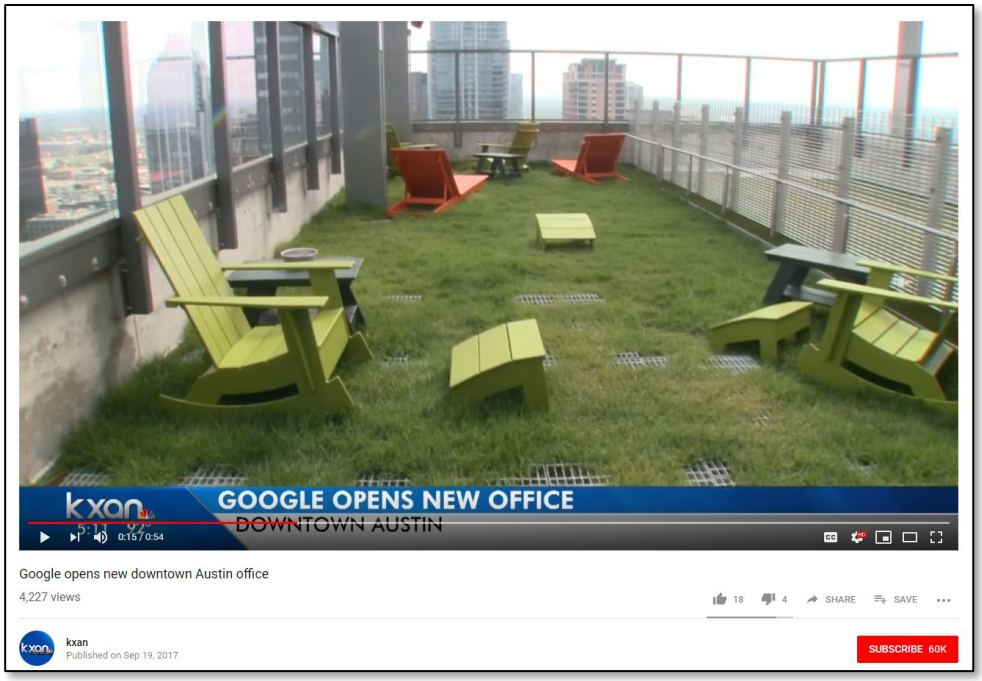
Central Library in downtown Austin."[4] Google's 35-story tower in Austin "will have 790,000 square feet of space, enough to potentially house about 5,000 people."[5]

Source: https://www.statesman.com/news/20190131/source-google-to-occupy-35-story-office-tower-in-downtown-austin

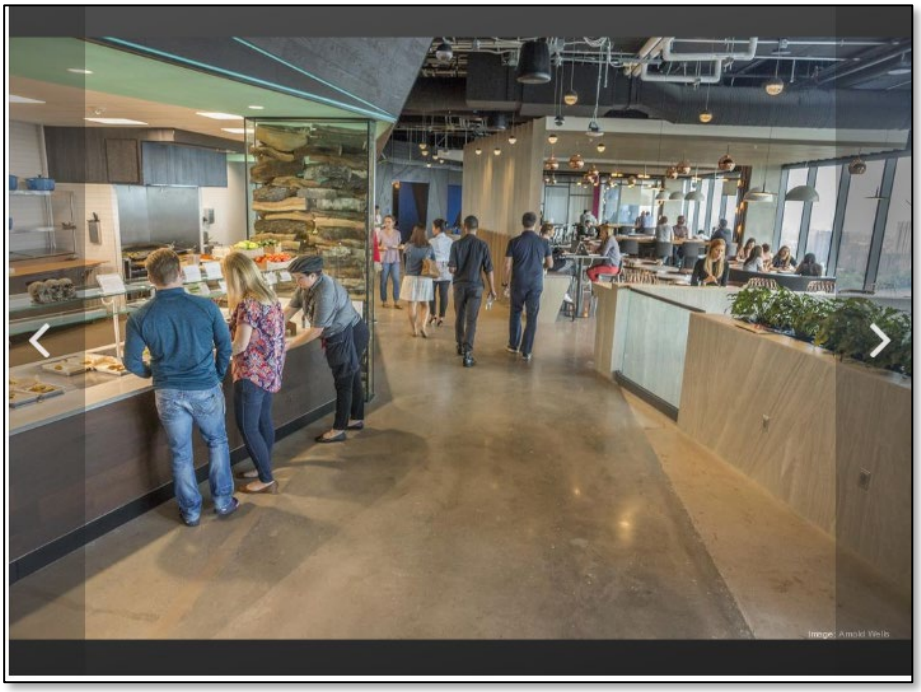
9. Articles report that Google's office in Austin would "would certainly be one of its most expansive offices in North America."[6]

10. Google has 300,000 square feet of office space in Austin, Texas, at 500 West 2nd Street.[7] Google also has offices on North MoPac Expressway,[8] University Park, and Austin's Children Museum.[9]

[4] *Id.*
[5] *Id.*
[6] *See* https://9to5google.com/2019/01/31/google-signs-lease-austin-campus/
[7] *See* https://www.bizjournals.com/austin/news/2020/02/27/google-to-invest-10b-in-offices-and-data-centers.html
[8] *See* https://www.google.com/intl/en/about/locations/?region=north-america
[9] *See* http://www.statesman.com/business/google-lease-200-000-square-feet-new-downtown-austin-tower/SANZSa3du8QQ4k8ytOC2rJ/



Source: https://www.youtube.com/watch?v=RKA1RJYGOYQ



Source: https://www.bizjournals.com/austin/news/2019/10/28/inside-austins-coolest-offices.html#g/419929/15

11. Google has, as of June 2020, fifty (50) job postings for Austin, TX.[10]

12. Google's taxed appraised property values in Travis County (Austin) are approximately $1 billion.[11] Google's taxed appraised property values in in McLennan County (Waco) are approximately $75,000.[12] Google's taxed appraised property values in Bexar County (San Antonio) are approximately $50 million.[13] Google's taxed appraised property values in in El Paso are approximately $258,000.[14]

13. Operationally, Google is a multinational technology company that collects, stores, organizes, and distributes data. In addition to its service model for distribution of data *(*e.g., movies, search results, maps, music, etc.), Google has an expansive regime that gathers data on residents of this District through the hardware devices it sells (e.g., phones, tablets, and home audio devices) and, also, through the operating systems and apps it provides. As an example, Google gathers data when a resident runs its operating systems and apps *(*e.g., location services).[15] As another example, Google gathers data when a resident interacts with Google's plethora of services such as search, email, and music and movie streaming. *See* https://safety.google/privacy/data/ (indicating that Google gathers data from "things you search for," "Videos you watch," "Ads you view or click," "Your location," "Websites you visit," and "Apps, browsers, and devices you use to access Google services"). As yet another example, Google gathers data by listening and recording everything a resident says within proximity of one of its products, such as Google

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10 https://careers.google.com/jobs/results/?company=Google&company=YouTube&hl=en&jlo=en-US&location=Austin,%20TX,%20USA

11 *See* http://propaccess.traviscad.org

12 *See* https://propaccess.trueautomation.com/clientdb/Property.aspx?cid=20&prop_id=378970

13 *See* https://bexar.acttax.com/act_webdev/bexar/showdetail2.jsp?can=000001265355,

14 *See* http://www.epcad.org/Search?Keywords=GOOGLE+INC&Year=2019

15 *See* e.g., "AP Exclusive: Google tracks your movements, like it or not," https://apnews.com/828aefab64d4411bac257a07c1af0ecb/AP-Exclusive:-Google-tracks-your-movements,-like-it-or-not

Home.[16] Others have reported that Google gathers "where you've been," "everything you've ever searched – and deleted," "all the apps you use," "all of your YouTube history," "which events you attended, and when," "information you deleted [on your computer]," "your workout routine," "years' worth of photos," and "every email you ever sent."[17]

14. Google takes these massive amounts of gathered data on residents of this District and monetizes them, for example, through targeted advertising. Some have reported that "creepy" advertisements for items never searched for, but only spoken out loud, appeared. *See* e.g., https://www.youtube.com/watch?v=zBnDWSvaQ1I (conducting test on the term "dog toys" spoken out loud, but never searched; tester claims targeted "dog toy" advertisements only appeared after speaking the phrase out loud).

15. In addition to extensive data gathering of information on residents of this District, Google has a substantial presence in the District directly through the products and services Google provides residents of this District (some of which also gather data).[18] One of Google's main businesses in this District is delivering information, including digital content such as movies, music, apps, and advertising.

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[16] *See* https://www.unilad.co.uk/technology/google-is-listening-to-everything-we-say-and-you-can-hear-it-back/ ("Tech giant and the font of all pub quiz knowledge, Google, can quietly record many of the conversations that people have in close proximity to its products.").

[17] *See* https://www.theguardian.com/commentisfree/2018/mar/28/all-the-data-facebook-google-has-on-you-privacy.

[18] Non-limiting examples include Google Search, Maps, Translate, Chrome Browser, YouTube, YouTube TV, Google Play Music, Chromecast, Google Play Movies and TV, Android Phones, Android Wear, Chromebooks, Android Auto, Gmail, Google Allo, Google Duo, Google+, Google Photos, Google Contacts, Google Calendar, Google Keep, Google Docs, Google Sheets, Google Slides, Google Drive, Google Voice, Google Assistant, Android operating system, Project Fi Wireless phone systems, Google Pixel, Google Home, Google Wifi, Daydream View, Chromecast Ultra.

16. Google describes itself as an "information company."[19] Its vision is "to provide access to the world's information in one click," and its mission is "to organize the world's information and make it universally accessible and useful."[20] Making information available to people wherever they are and as quickly as possible is critical to Google's business.

Google Global Cache (GGC)

17. As Google's CEO, Sundar Pichai, explains, "We want to make sure that no matter who you are or where you are or how advanced the device you are using—Google works for you."[21] To meet this goal, Google developed a content delivery network that it calls the Edge Network.

18. One non-limiting example of physical presence in this District is Google's Edge Network. Google provides web-based services, such as YouTube, YouTube TV, and Google Play, to users throughout the world. These services are in high demand. Google reports that Google Play reaches more than 1 billion Android users and that YouTube serves over 1.8 billion users per month.[22] Studies show that YouTube alone is responsible for approximately 20% of all internet traffic.[23] YouTube TV, which has been described as an "add-on to YouTube" allows Google to essentially become the local TV provider for residents of this District. For example, residents in this District obtain local Waco-Temple-Bryan area channels such as KXXV, ABC (Channel 25); KBTX, CBS (Channel 3) or KWTX, CBS (Channel 10); KCEN NBC (Channel 5); and KCEN,

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[19] *See* "This Year's Founder's Letter" by Alphabet CEO, Sundar Pichai, https://blog.google/inside-google/alphabet/this-years-founders-letter/.
[20] *See* http://panmore.com/google-vision-statement-mission-statement.
[21] *See* e.g., http://time.com/4311233/google-ceo-sundar-pichai-letter/.
[22] *See* https://www.theverge.com/2018/5/3/17317274/youtube-1-8-billion-logged-in-monthly-users-brandcast-2018
[23] *See* https://www.sandvine.com/hubfs/downloads/archive/2016-global-internet-phenomena-report-latin-america-and-north-america.pdf and http://testinternetspeed.org/blog/half-of-all-internet-traffic-goes-to-netflix-and-youtube/

Fox (Channel 6).[24] To verify a resident should receive such local channels, Google verifies a location of such resident.

19. Google's Edge Network, itself, has three elements: Core Data Centers, Edge Points of Presence, and Edge Nodes. The Core Data Centers (there are eight in the United States) are used for computation and backend storage. Edge Points of Presence are the middle tier of the Edge Network and connect the Data Centers to the internet. Edge Nodes are the layer of the network closest to users. Popular content, including YouTube TV, YouTube, video advertising, music, mobile apps, and other digital content from the Google Play store, is cached on the Edge Nodes, which Google refers to as Google Global Cache or "GGC."

20. Google Global Cache is recognized as "one of Google's most important pieces of infrastructure,"[25] and Google uses it to conduct the business of providing access to the world's information. GGC servers in the Edge Nodes function as local data warehouses, much like a shoe manufacturer might have warehouses around the country. Instead of requiring people to obtain information from distant Core Data Centers, which would introduce delay, Google stores information in the local GGC servers to provide quick access to the data.

21. Caching and localization are vital for Google's optimization of network resources. Because hosting all content everywhere is inefficient, it makes sense to cache popular content and serve it locally. Doing so brings delivery costs down for Google, network operators, and internet service providers. Storing content locally also allows it to be delivered more quickly, which improves user experience. Serving content from the edge of the network closer to the user improves performance and user happiness. To achieve these benefits, Google has placed Edge Nodes

[24] *See*, e.g. https://thestreamable.com/markets/waco-temple-bryan-tx.
[25] *See* http://blog.speedchecker.xyz/2015/11/30/demystifying-google-global-cache/.

throughout the United States, including in this District. Google describes these nodes as the workhorses of video delivery.

22. Just like brick-and-mortar stores, Google's GGC servers independently determine what content to cache based on local requests. The GGC servers in Google's Edge Nodes include software that Google refers to as "µstreamer." µstreamer is responsible for serving video content from YouTube and other Google services, along with other large content such as Google Play applications and Chrome downloads. It operates on a content-delivery platform at the edge of Google's network called "bandaid"; it does not run in the core (except for some internal testing purposes), unlike the majority of the Google services, such as search or gmail.

23. Using µstreamer and bandaid, a GGC server handles requests directly from its clients, predominantly YouTube's video players. When such a request is received, if the content is stored in the node's local cache, the node will serve it to the end user, improving the user experience and saving bandwidth. If cache-eligible content is not already stored on the node, and the content is cache-eligible, the node will retrieve it from Google, serve it to the user, and store it for future requests.

24. µstreamer is largely autonomous, in the sense that almost all decisions related to serving a particular request are made locally, without coordinating with other servers. Like a brick-and-mortar store sells directly to customers from inventory and stocks that inventory based on local customer demand, µstreamer in each GGC node decides—independently from other nodes in Google's Edge Network— whether to serve requested content, whether to cache content, and whether to send requests to other servers.

25. Google's GGC servers are housed in spaces in the District leased by Google. Google's GGC servers are housed in spaces leased by Google from Internet Service Providers

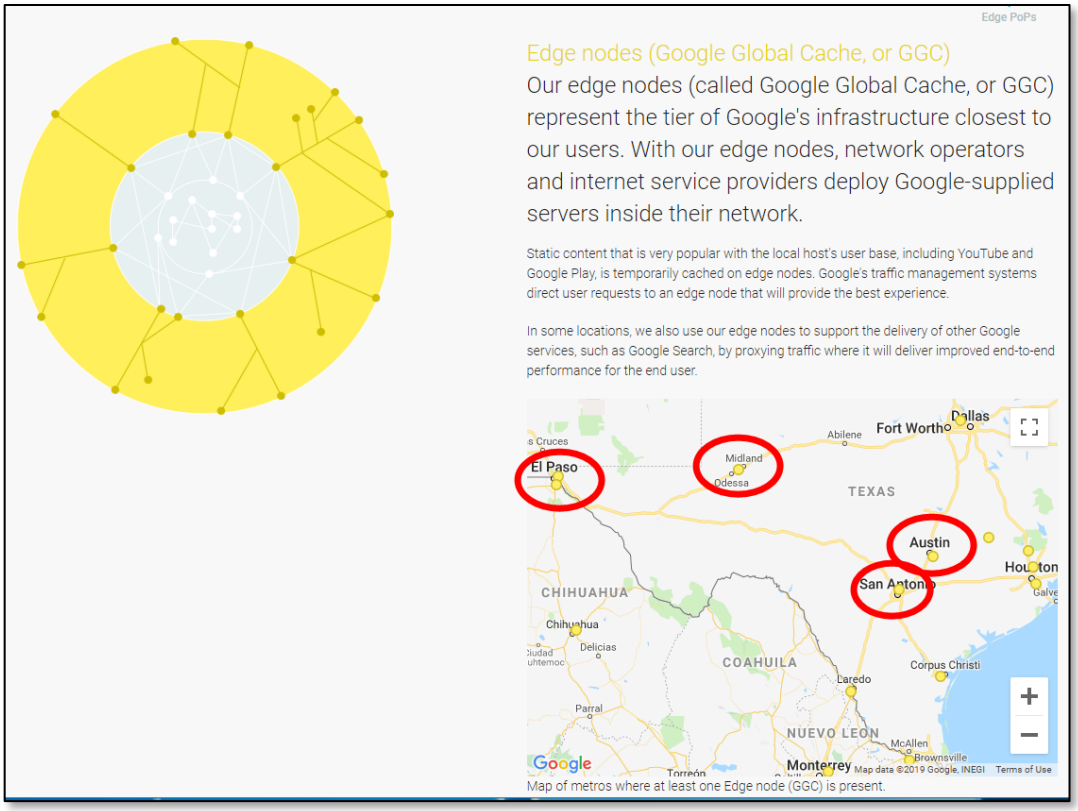
(ISPs) whose networks have substantial traffic to Google and are interested in saving bandwidth. Hosting Google servers allows ISPs to save both bandwidth and costs, as they do not incur the expense of carrying traffic across their peering and/or transit links.

26. When an ISP agrees to host a GGC server, the parties enter into a Global Cache Service Agreement, under which Google provides:

- hardware and software— including GGC servers and software—to be housed in the host's facilities;
- technical support; service management of the hardware and software; and
- content distribution services, including content caching and video streaming.

In exchange, the host provides, among other things, a physical building, rack space where Google's computer hardware is mounted, power, and network interfaces. All ownership rights, title, and intellectual property rights in and to the equipment (i.e., the hardware and software provided by Google) remain with Google and/or its licensors.

27. Multiple ISP hosted GGC servers are in this District. Google's website identifies Midland, El Paso, Austin, and San Antonio as GGC server locations. Each of these cities is located in this District.



Source: https://peering.google.com/#/infrastructure

28. The Office of Telecommunications Services for the University of Texas, for example, is an ISP that hosts two GGC servers in Austin, Texas.[26]

29. Google caches content on the GGC servers located in this District.

30. Google's GGC servers located in this District cache content that includes, among other things: (i) video advertising; (ii) apps; and (iii) digital content from the Google Play store.

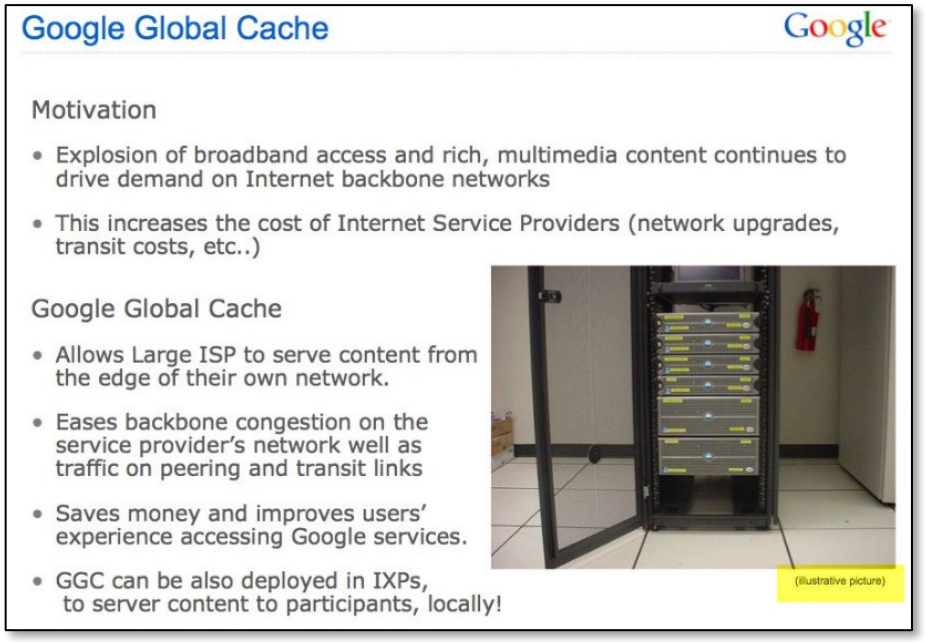
31. Google's GGC servers located in this District deliver cached content for the items in the preceding paragraph to residents in this District.

32. Google generates revenue (i) by delivering video advertising, (ii) from apps, and (iii) from digital content in the Google Play store.

[26] *See* https://it.utexas.edu/ots-caching-and-peering

33. Google treats its GGC servers in this District the same as it treats all of its other GGC servers in the United States.

34. The photograph below shows an "illustrative picture" of a Google GGC server.



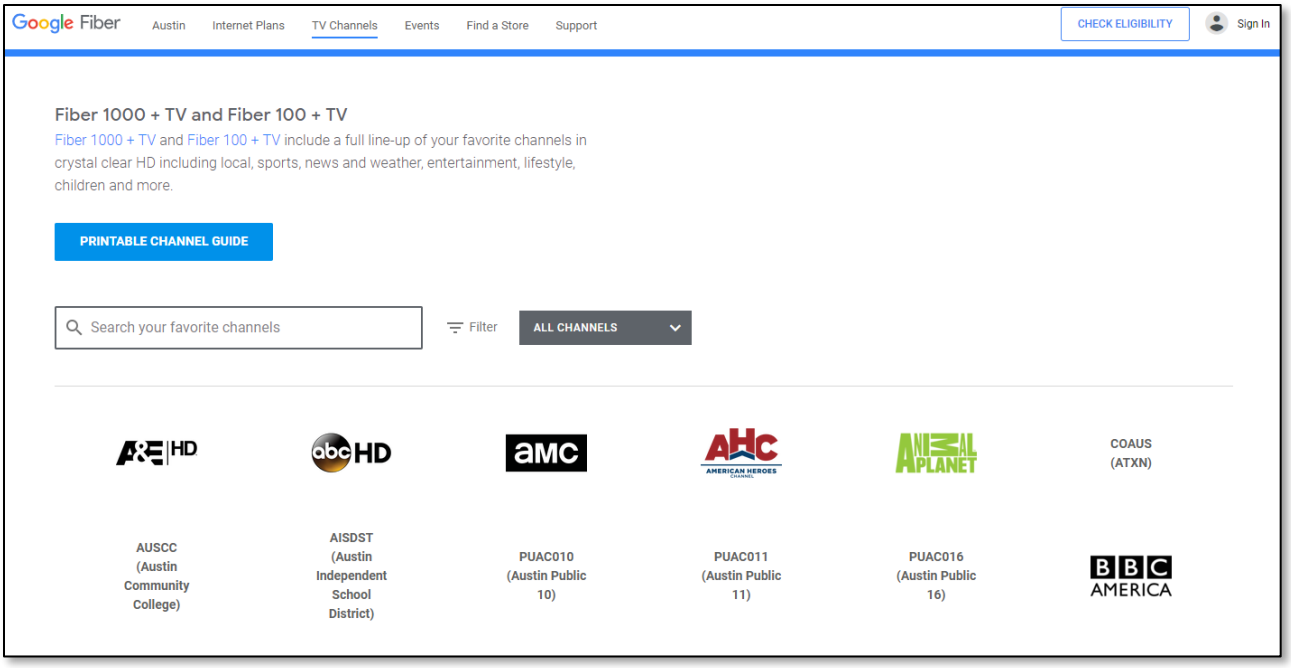
Source: https://www.wired.com/2010/03/google-traffic/

35. Google not only exercises exclusive control over the digital aspects of the GGC, Google, but also exercises exclusive control over the physical server and the physical space within which the server is located and maintained.

Google's Communication Services

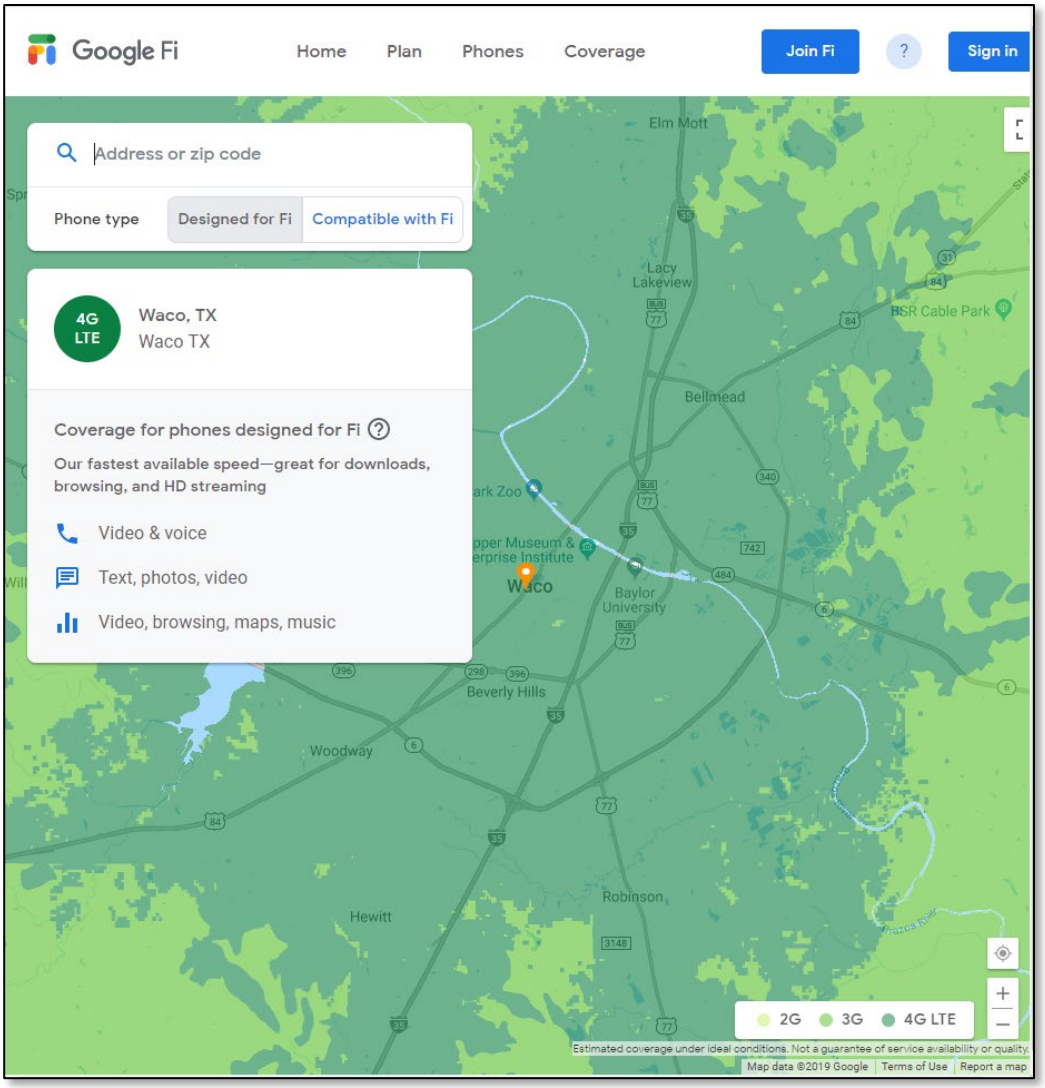
36. Google provides both data and television services to both San Antonio and Austin.[27]

[27] https://fiber.google.com/ourcities/



Google's Cell Phone Service (aka Google Fi)

37. Google also provides phone, messaging, and data services in this District from its wireless phone services called Google Fi. Via the Google Fi service, Google provides its customers voice and high-speed data coverage (4G LTE) for cities such as Waco.



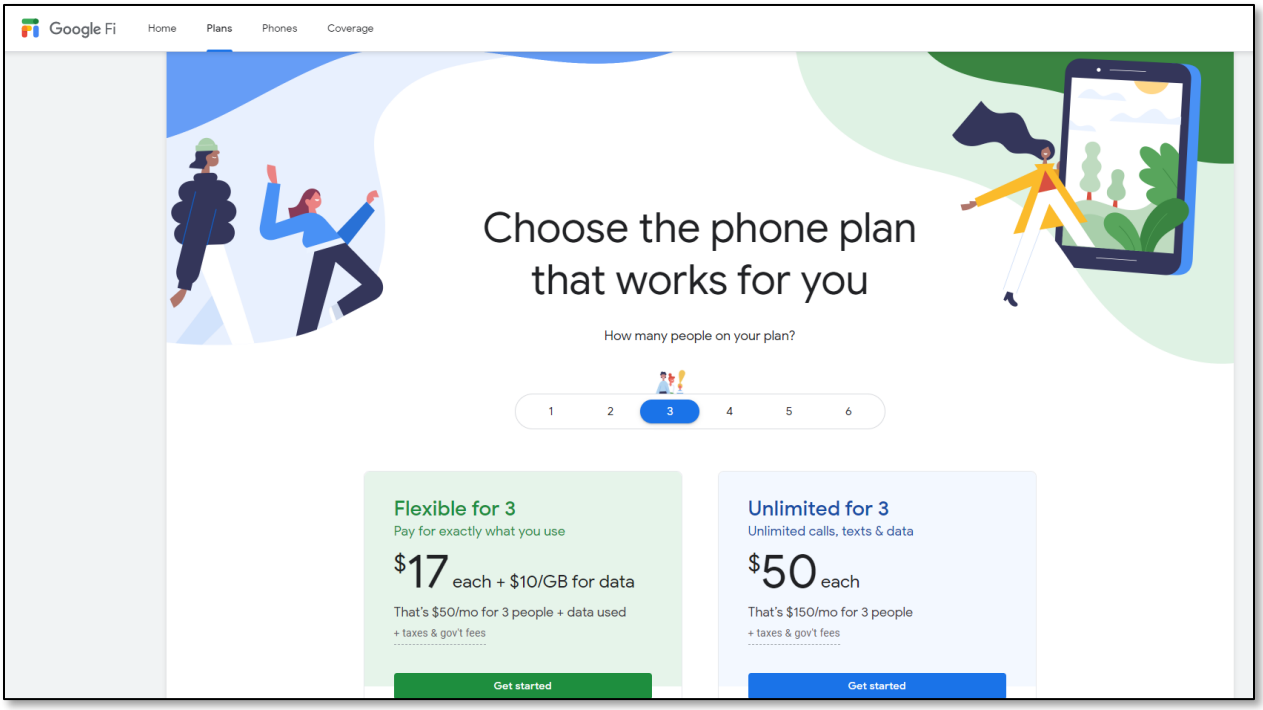
Source: https://fi.google.com/coverage?q=Waco,%20tx

38. The cell towers used for Google's services are fixed geographical locations. They are "regular" and "established" because they operate in a "steady, uniform, orderly, and methodical manner" and are sufficiently permanent. They are "of the defendant" because Google has contractual and/or property rights to use the cell towers to operate its business. Google also ratifies the service locations through its coverage lookup service.

39. With this coverage lookup service, Google advertises its ability to provide cell coverage in this District and its selected cell towers in and near this District to provide the

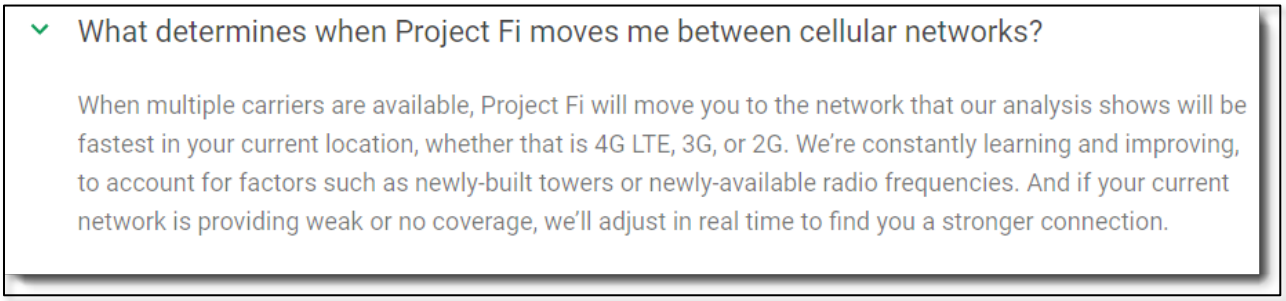
advertised coverage (e.g., 2G, 3G, or 4GLTE) depending on the location in the District. See https://fi.google.com/coverage?. Google is not indifferent to the location of its cell towers. It "established" and "ratified" their geographic placement to achieve specific business purposes.

40. Residents of this District also directly contract with and are billed by Google for these services as their telecommunications provider.



Source: https://fi.google.com/about/plan

41. Google also determines which cell tower a particular Google Fi customer will use while within the District.



Source: https://fi.google.com/about/faq/#network-and-coverage-4

COUNT ONE - INFRINGEMENT OF U.S. PATENT NO. 8,559,928

42. Brazos re-alleges and incorporates by reference the preceding paragraphs of this Complaint.

43. On October 15, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,559,928 ("the '928 Patent"), entitled "Mobile communication terminal, method, and computer program product." A true and correct copy of the '928 Patent is attached as Exhibit A to this Complaint.

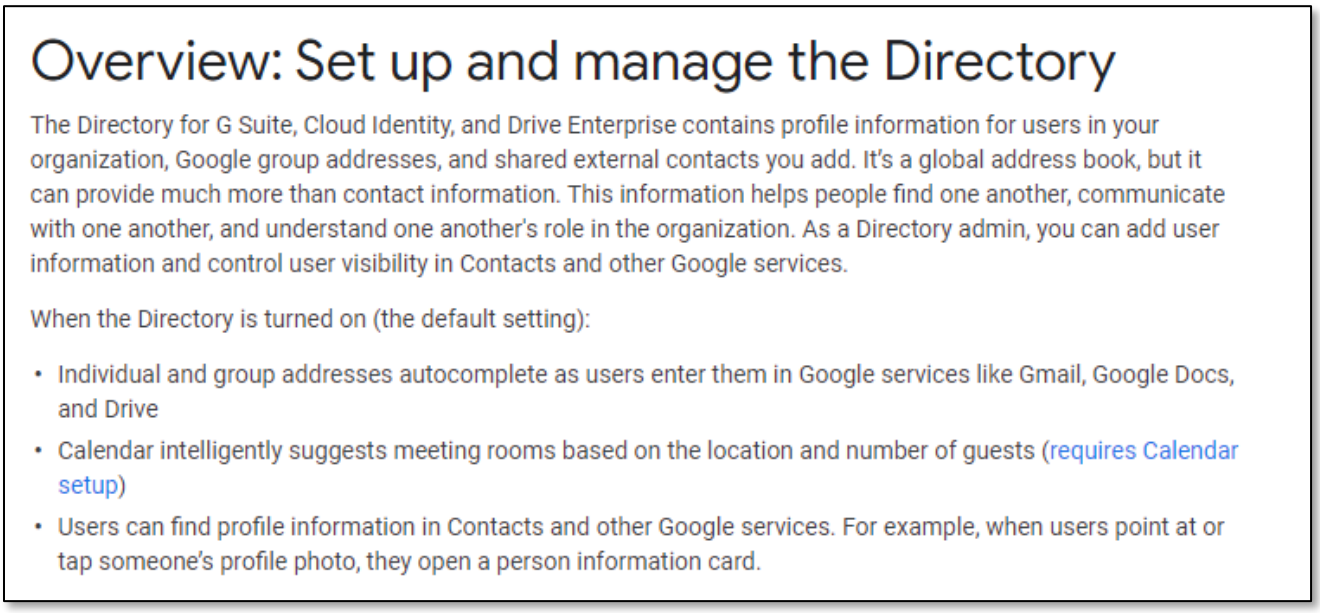
44. Brazos is the owner of all rights, title, and interest in and to the '928 Patent, including the right to assert all causes of action arising under the '928 Patent and the right to any remedies for the infringement of the '928 Patent.

45. Google makes, uses, sells, offers for sale, imports, and/or distributes in the United States, including within this judicial district, products such as, but not limited to, a platform referred to as "G Suite" (collectively, the "Accused Products").

46. The Accused Products include G Suite and G Suite applications supporting Directory, which include, but are not limited to, Contacts, Gmail, and Calendar.

47. Google provides Directory for organizations with a G Suite account. This allows the administrator of the organization to store contact information of users in the form of an address book/Directory. An organization's user can access the Directory using different GSuite

applications (e.g. Contacts, Gmail, calendar) installed on a mobile communication device such as Android devices (e.g. Pixel phones), Chromebooks, or through the web.



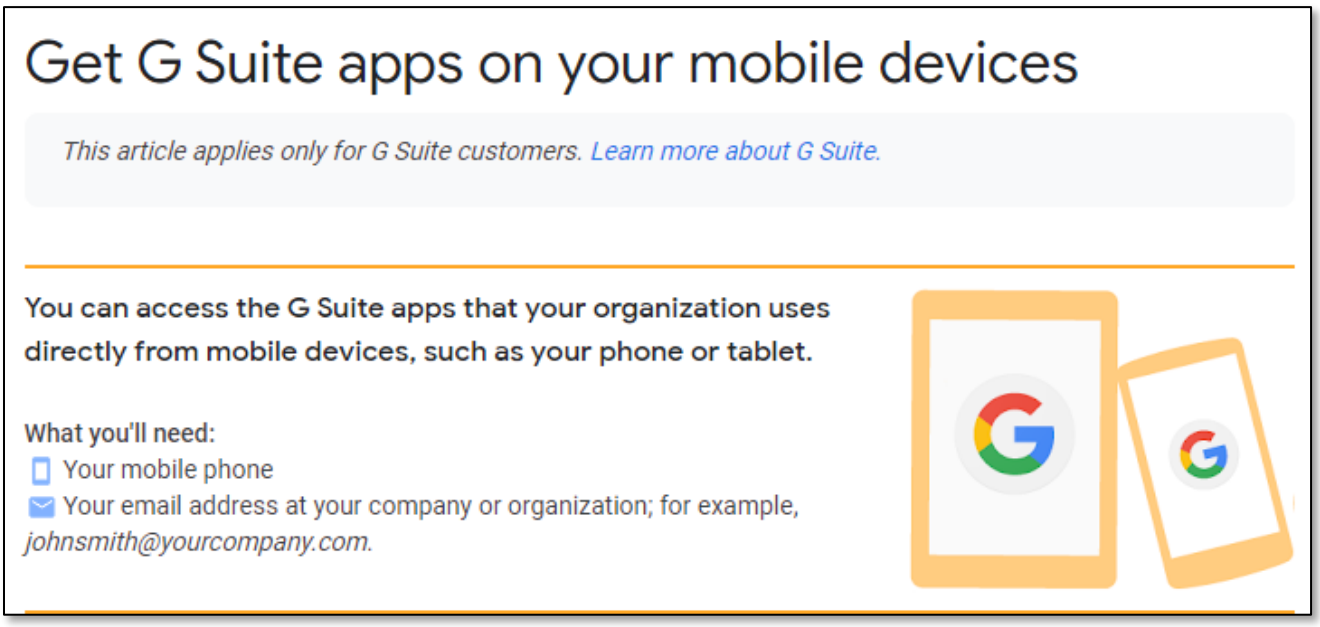
Overview: Set up and manage the Directory

The Directory for G Suite, Cloud Identity, and Drive Enterprise contains profile information for users in your organization, Google group addresses, and shared external contacts you add. It's a global address book, but it can provide much more than contact information. This information helps people find one another, communicate with one another, and understand one another's role in the organization. As a Directory admin, you can add user information and control user visibility in Contacts and other Google services.

When the Directory is turned on (the default setting):

- Individual and group addresses autocomplete as users enter them in Google services like Gmail, Google Docs, and Drive
- Calendar intelligently suggests meeting rooms based on the location and number of guests (requires Calendar setup)
- Users can find profile information in Contacts and other Google services. For example, when users point at or tap someone's profile photo, they open a person information card.

Source: https://support.google.com/a/answer/1628009?hl=en&ref_topic=20016



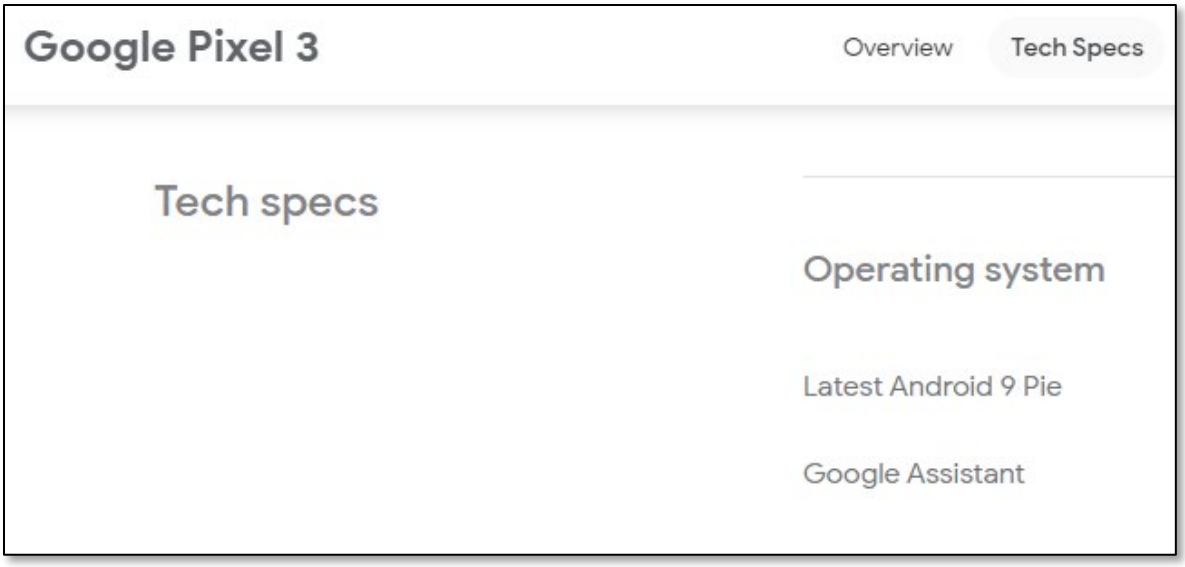
Get G Suite apps on your mobile devices

This article applies only for G Suite customers. Learn more about G Suite.

You can access the G Suite apps that your organization uses directly from mobile devices, such as your phone or tablet.

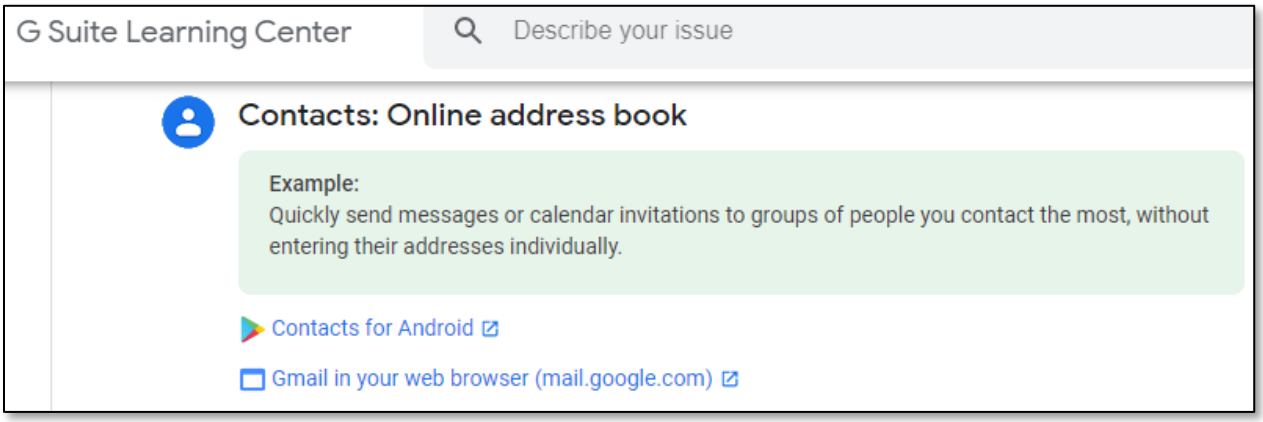
What you'll need:
Your mobile phone
Your email address at your company or organization; for example, *johnsmith@yourcompany.com*.

Source: https://support.google.com/a/users/answer/7334174?hl=en&ref_topic=9335739

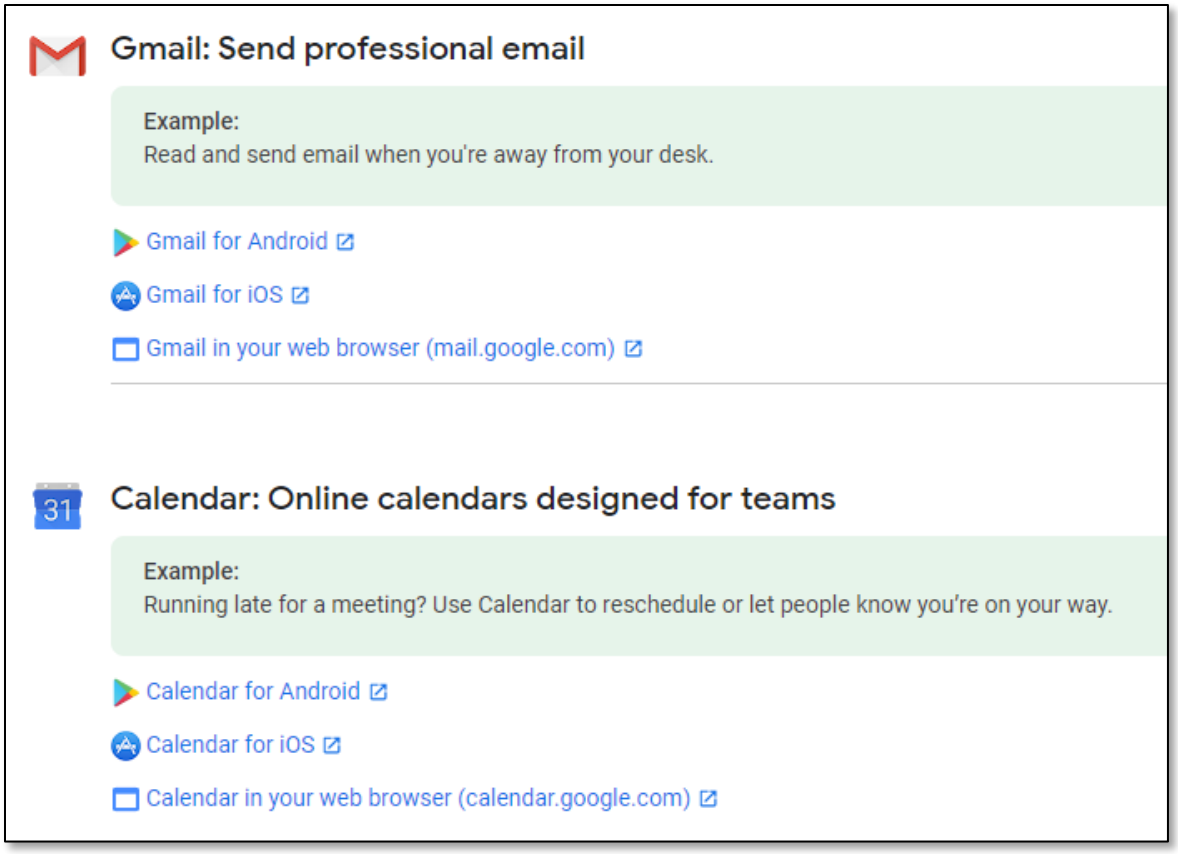


Source: https://store.google.com/product/pixel_3_specs.

48. Google provides G Suite applications like Contacts, Gmail, and Calendar, which shows profile information of users in an organization.



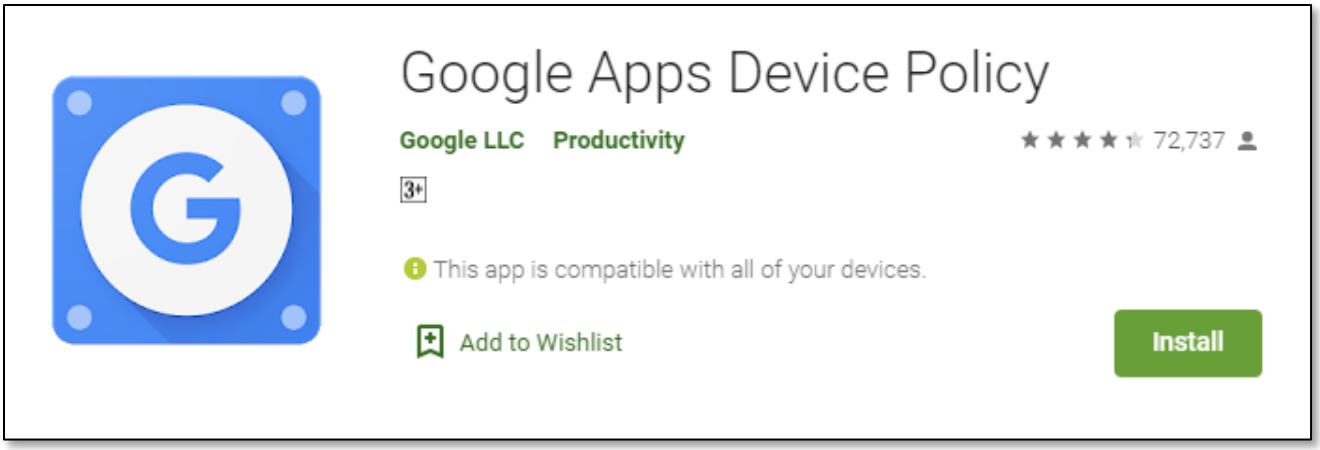
Source: https://support.google.com/a/users/answer/7334174?hl=en&ref_topic=9335739



Source: https://support.google.com/a/users/answer/7334174?hl=en&ref_topic=9335739

49. G Suite provides a mobile device management policy for administrators to manage devices and ensure the organization's security. The organization's users need to perform additional steps to access data. For example, Android device users need to install the Google Apps Device Policy app to access G Suite applications.

Source: https://support.google.com/a/users/answer/190930?hl=en



Source:

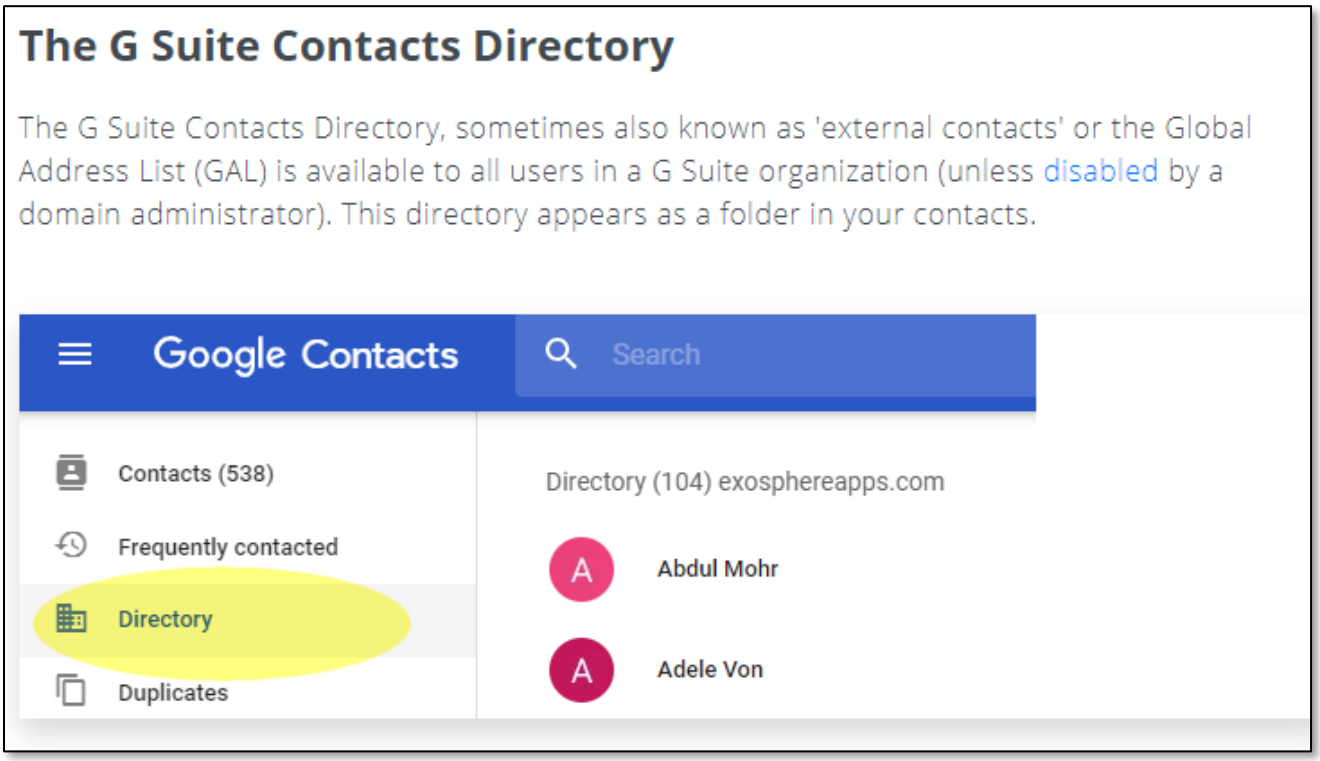
https://play.google.com/store/apps/details?id=com.google.android.apps.enterprise.dmagent

You would be required to enroll your device with Google Device Policy App if your IT administrator has set up Mobile Management in your company. The app allows your IT administrator to mandate security settings like screen lock or device encryption and keep corporate data safe. In this app, you can review all the security policies applied on your device at any point of time. The IT administrator can also configure corporate WiFi networks or work apps, that are auto-provisioned upon device enrollment.

Source:

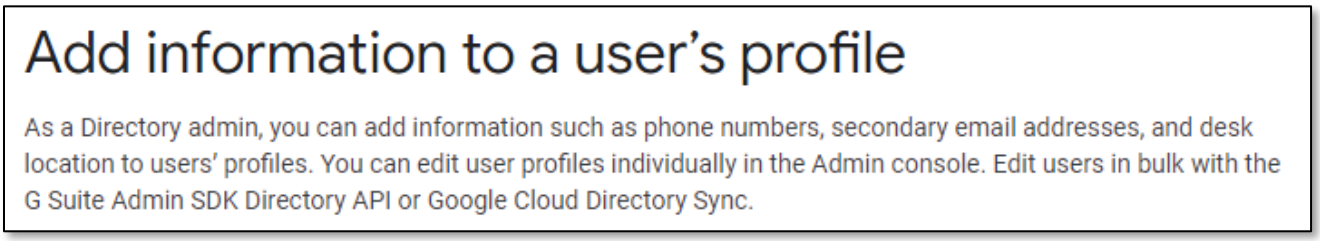
https://play.google.com/store/apps/details?id=com.google.android.apps.enterprise.dmagent

50. An organization's Directory can be accessed using G Suite applications (e.g. Contacts applications).

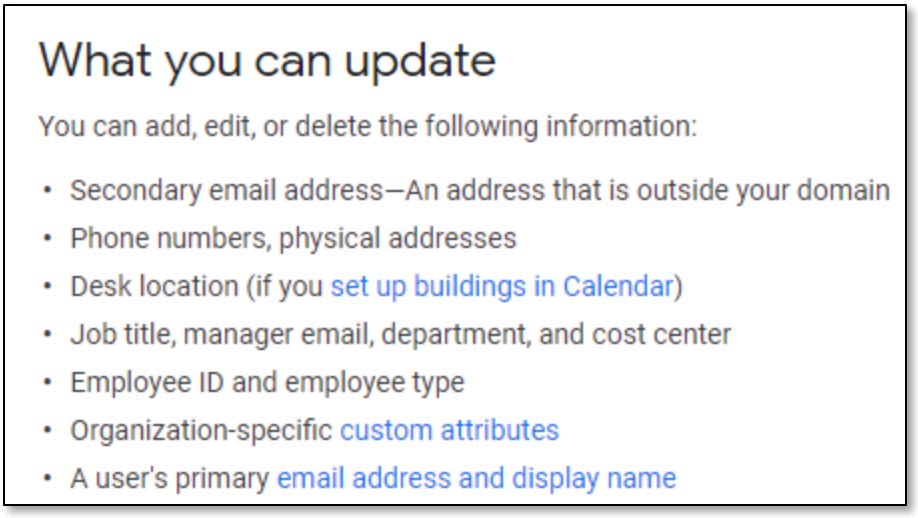


Source: https://voyzu.com/gsuite-contacts-explained.html

51. An administrator can add a user's contact information such as phone numbers or email addresses using the Directory section in G Suite Admin console. The admin can also add profile information for multiple uses through the G Suite Admin SDK Directory API or Google Cloud Directory Sync.

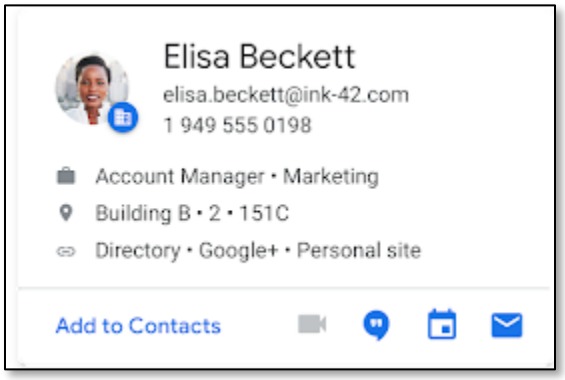


Source: https://support.google.com/a/answer/6191788?hl=en&ref_topic=20016

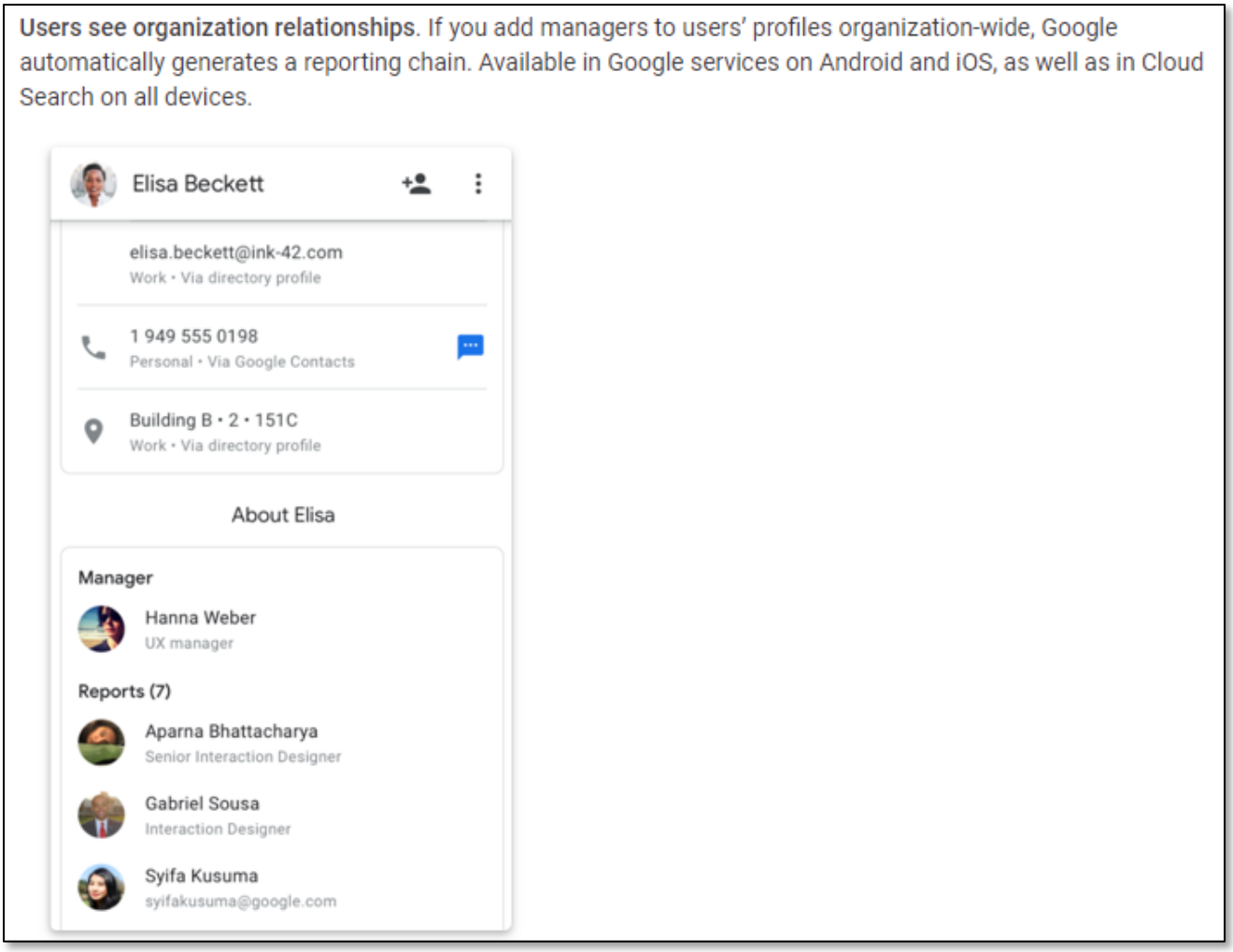


Source: https://support.google.com/a/answer/6191788?hl=en&ref_topic=20016

52. The information added in G Suite Directory is displayed when a relevant G Suite application is opened. For example, the Contacts application displays information for each user. Similarly, Gmail shows a user profile card when a user is selected to contact.



Source: https://support.google.com/a/answer/1628009?hl=en&ref_topic=20016



Source: https://support.google.com/a/answer/6191788?hl=en&ref_topic=20016

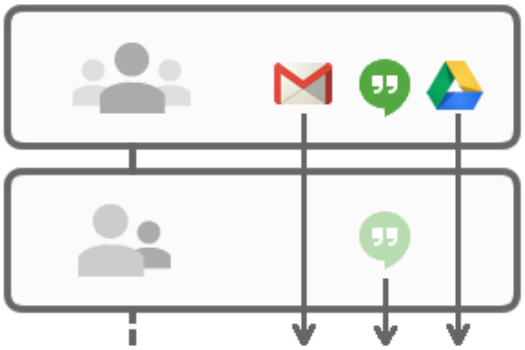
53. G Suite provides the formation of a tree structure in an organization using organizational units. An admin can create multiple organizational units for different groups in a hierarchy (or logical levels). Each organizational unit inherits settings from its parent.

How the organizational structure works

Initially in your Google Admin console, all your users and devices are placed in a single organizational unit. All settings you make in the Admin console apply to this top-level organization and therefore to all users and devices in your account.

Apply settings to groups of users or devices

To apply different settings to some users or devices, place them in a child organization, below the top level. Users or devices in organizations get the settings that you apply to them. So to keep a child organization from inheriting its parent's settings, apply to the child any settings that are specific to it.



- **Example**—Gmail, Google Hangouts, and Google Drive work for users in the top-level organization. Users in the child organization inherit Gmail and Drive, but for them, Hangouts is off.
- **Recommendation**—Create separate organizations for users and devices. That way, you can tailor settings for managed devices and managed users as needed.

Source: https://support.google.com/a/answer/4352075.

Build a hierarchy

Create as many organizational units as you want—either at the same level or in a hierarchy. Each child organization inherits settings from its parent, which you can then customize. Changing a setting at a higher level changes the setting for all sub-organizations that inherit that setting. Custom settings, however, remain unchanged.

Source: https://support.google.com/a/answer/4352075.

54. A G Suite admin can create an organizational unit named "Sales" under the parent organization "yourdomain.com." Here, the Sales unit will inherit the settings from the parent organization.

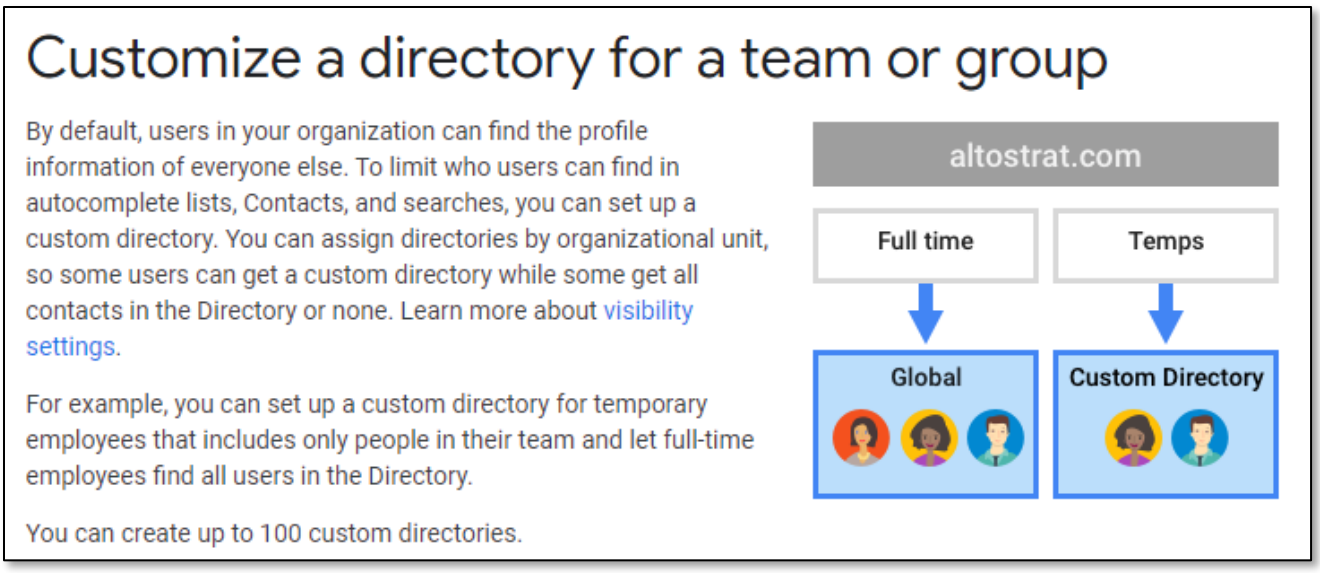
> When you create a new Organizational Unit, it inherits the settings from its parent organization. So if you set up an Organizational Unit for your Sales team, everyone who is a member of the "Sales" Organizational Unit will have the same permissions and settings as everyone who is a member of 'yourdomain.com.' After the Organizational Unit is created, you can change the settings of that specific Organizational Unit to whatever you want.

Source: https://usefyi.com/g-suite-organization/

55. The parent organization includes profile information of all users. The user information can be assigned to different organizational units (or groups).

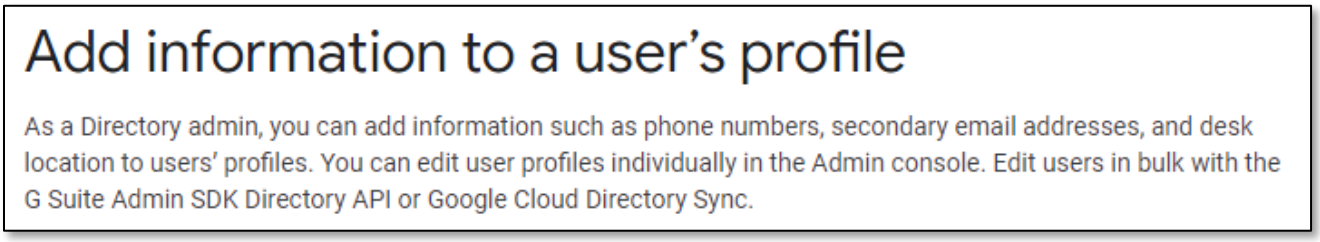
> Every G Suite domain starts with one top-level Organizational Unit that encompasses all users and services. It's one big box with everyone and everything in it. It usually has the same name as your domain. Within this, you can create as many or as few sub-organizations as you want, building an organizational structure to keep track of them at the same time.

Source: https://usefyi.com/g-suite-organization/

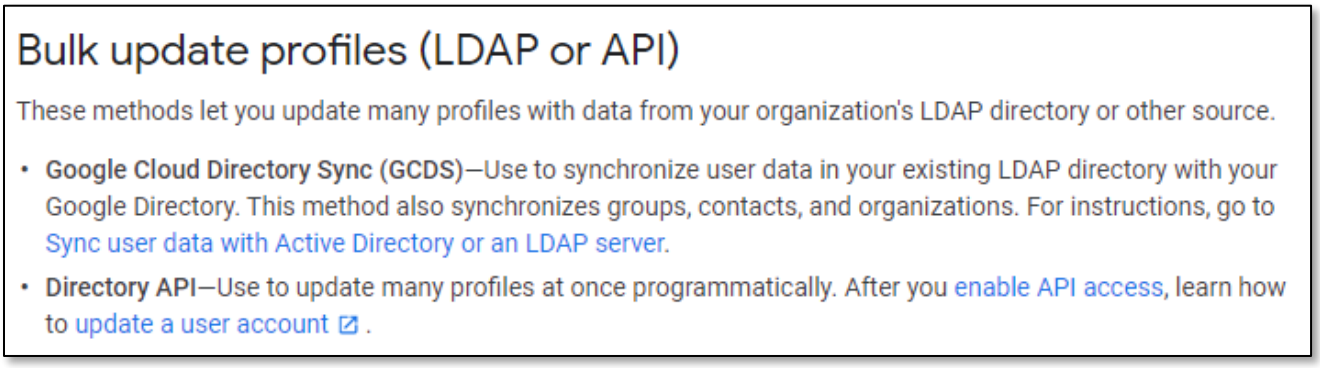


Source: https://support.google.com/a/answer/7566446?hl=en&ref_topic=20016

56. G Suite allows adding user profile information (or contact information) for Directory using the Admin console.



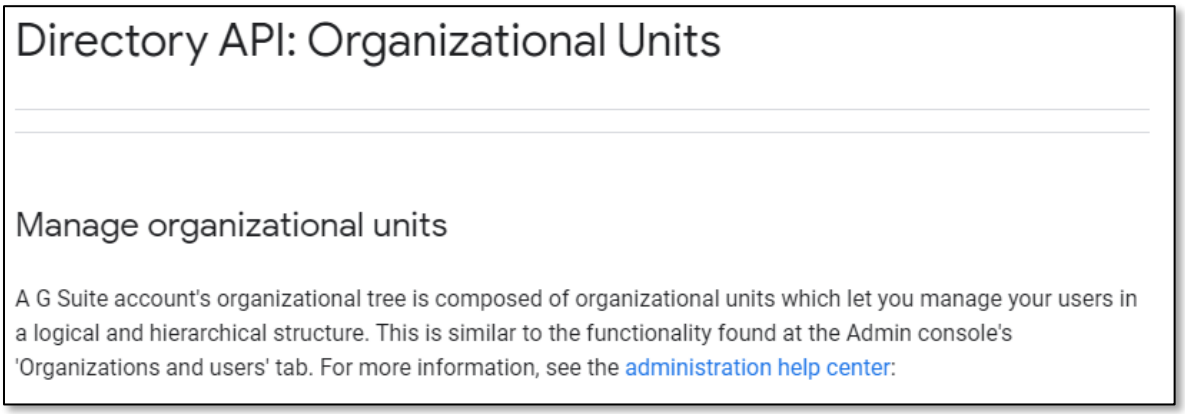
Source: https://support.google.com/a/answer/6191788?hl=en&ref_topic=20016



Source: https://support.google.com/a/answer/6191788?hl=en&ref_topic=20016

57. A G Suite administrator can compose organizational units (or groups) of an organizational tree in the form of logical and hierarchical structure (or logical levels). In this

manner, the organizational units (or groups) with users' contact information are assigned with different logical levels in a G Suite Directory.

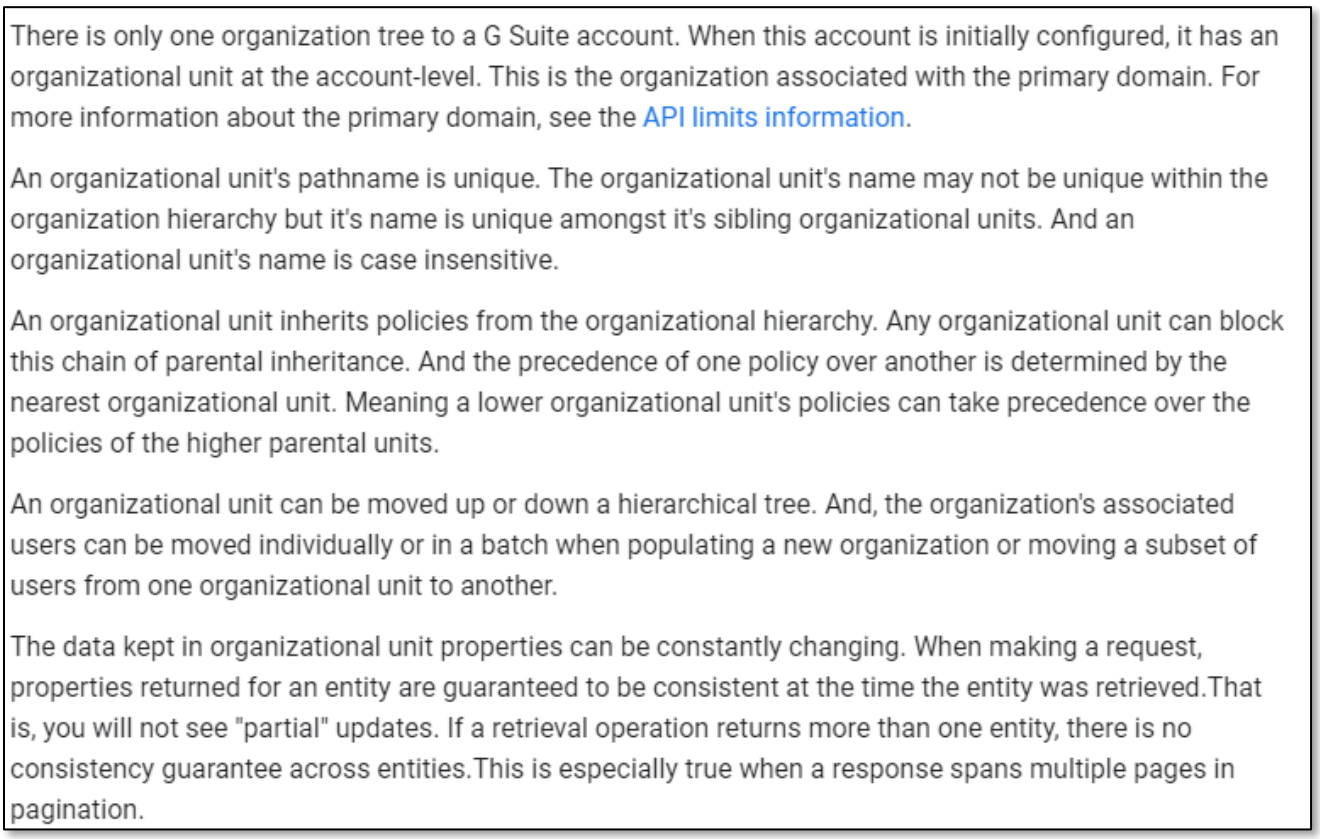


Directory API: Organizational Units

Manage organizational units

A G Suite account's organizational tree is composed of organizational units which let you manage your users in a logical and hierarchical structure. This is similar to the functionality found at the Admin console's 'Organizations and users' tab. For more information, see the administration help center:

Source: https://developers.google.com/admin-sdk/directory/v1/guides/manage-org-units.



There is only one organization tree to a G Suite account. When this account is initially configured, it has an organizational unit at the account-level. This is the organization associated with the primary domain. For more information about the primary domain, see the API limits information.

An organizational unit's pathname is unique. The organizational unit's name may not be unique within the organization hierarchy but it's name is unique amongst it's sibling organizational units. And an organizational unit's name is case insensitive.

An organizational unit inherits policies from the organizational hierarchy. Any organizational unit can block this chain of parental inheritance. And the precedence of one policy over another is determined by the nearest organizational unit. Meaning a lower organizational unit's policies can take precedence over the policies of the higher parental units.

An organizational unit can be moved up or down a hierarchical tree. And, the organization's associated users can be moved individually or in a batch when populating a new organization or moving a subset of users from one organizational unit to another.

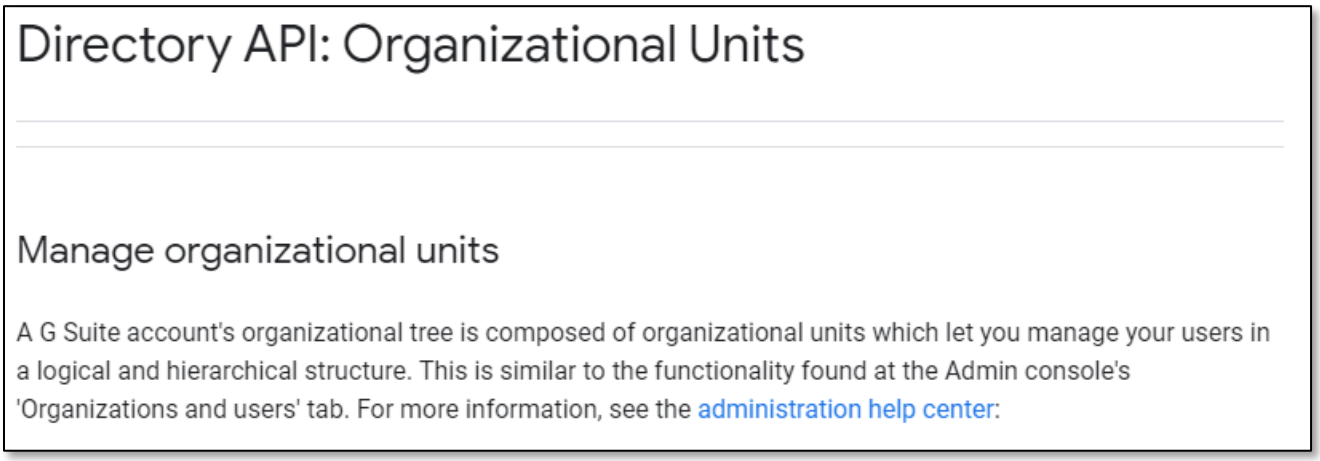
The data kept in organizational unit properties can be constantly changing. When making a request, properties returned for an entity are guaranteed to be consistent at the time the entity was retrieved.That is, you will not see "partial" updates. If a retrieval operation returns more than one entity, there is no consistency guarantee across entities.This is especially true when a response spans multiple pages in pagination.

Source: https://developers.google.com/admin-sdk/directory/v1/guides/manage-org-units

58. A G Suite Directory provides storing contact information for different user profiles. An organization with a G Suite account further provides an option to create organizational units

(or groups). The users added to G Suite Directory can be assigned to different organizational units.

Each organizational unit can be placed at different logical level of the organizational tree.



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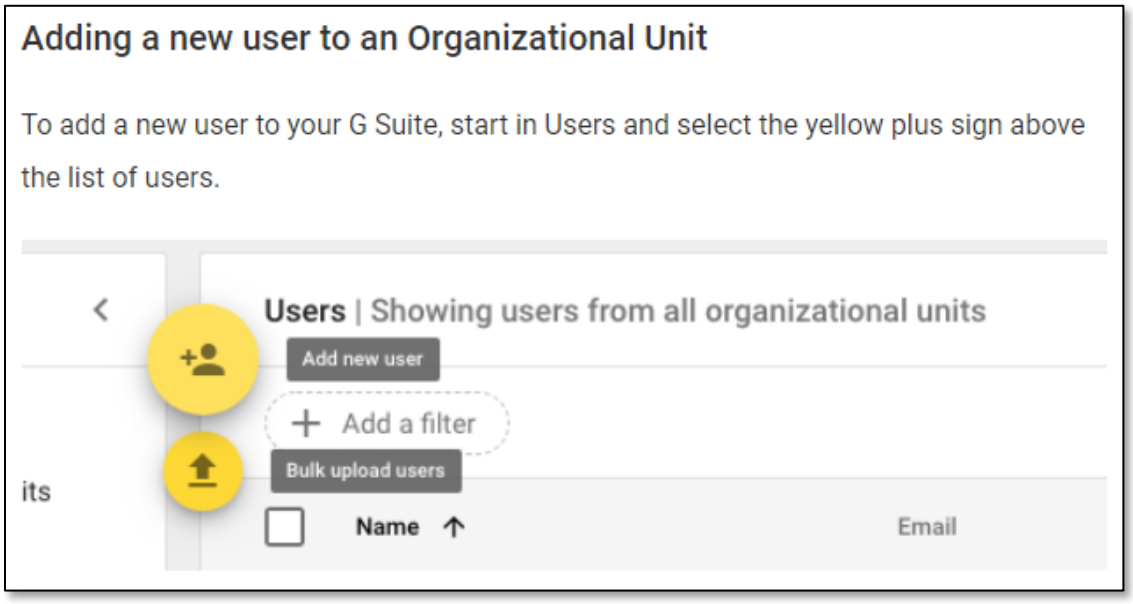
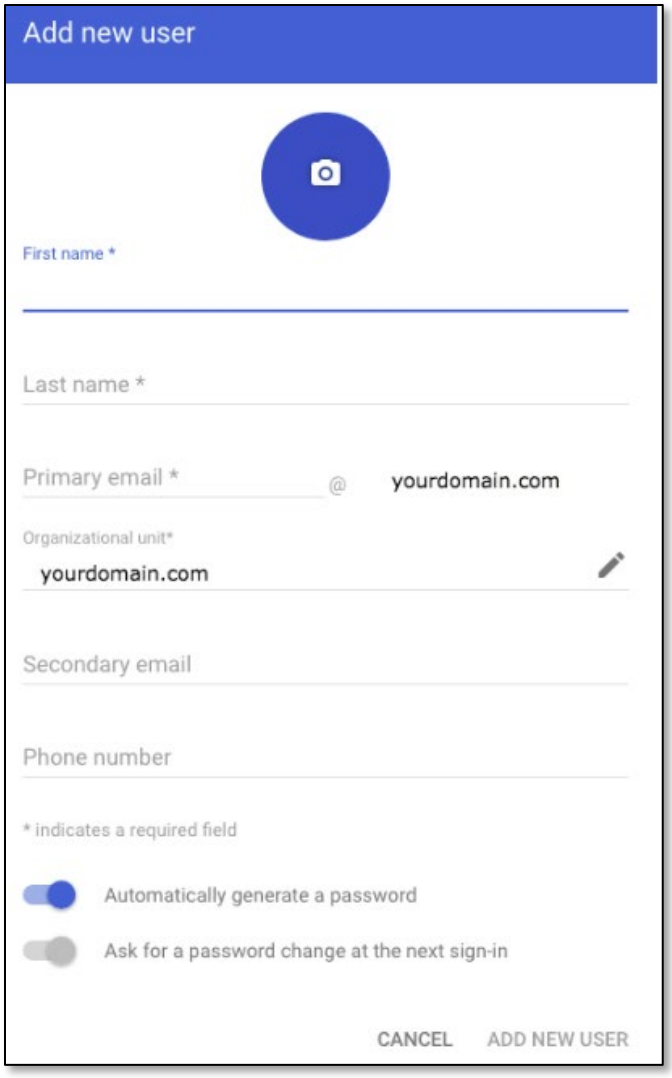
Source: https://developers.google.com/admin-sdk/directory/v1/guides/manage-org-units

59. The below figures show a procedure to add the contact information of a new user to an organizational unit. The contact information includes fields such as phone numbers and email addresses.

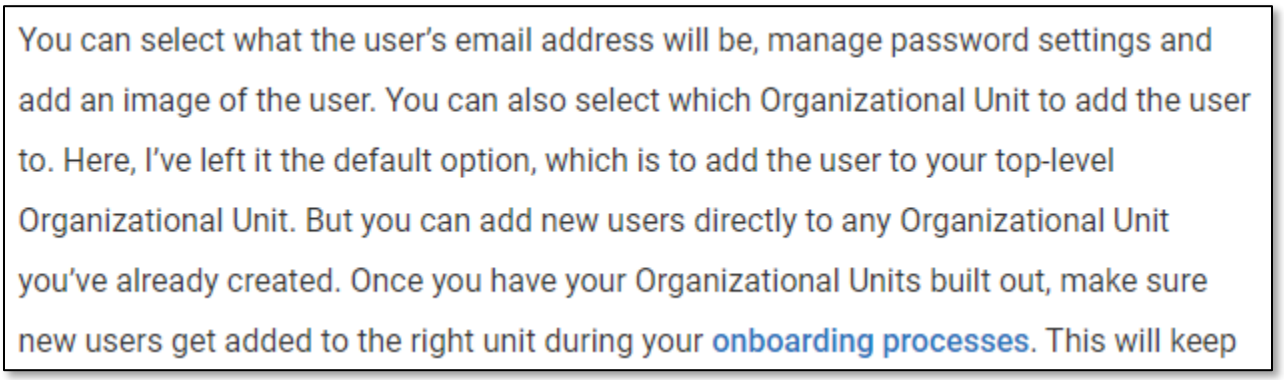


Source: https://usefyi.com/g-suite-organization/



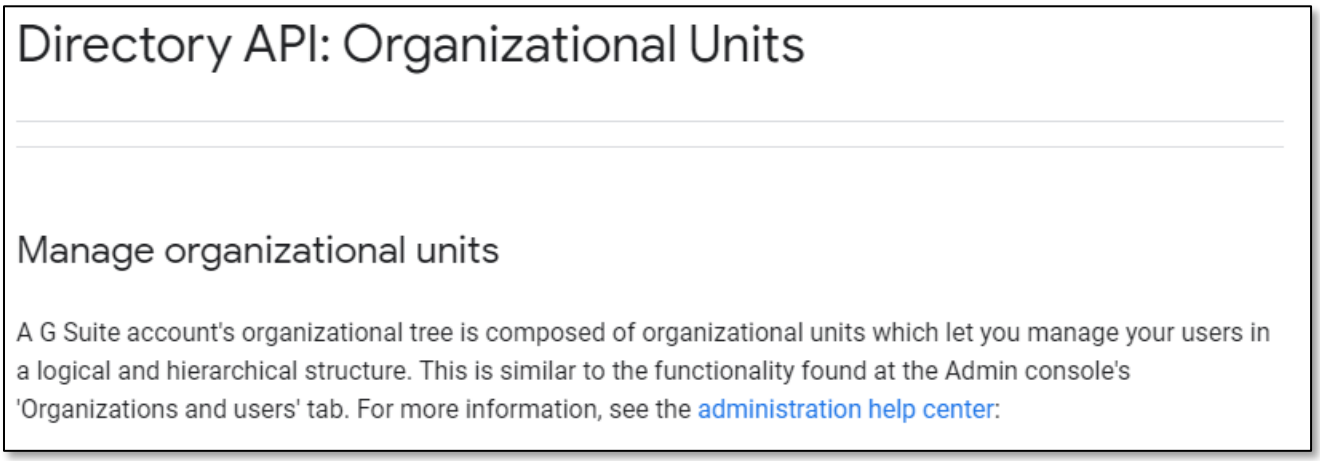
Source: https://usefyi.com/g-suite-organization/

60. The administrator can also add profile information for different existing users in a Directory directly to any Organizational unit (or group).


You can select what the user's email address will be, manage password settings and add an image of the user. You can also select which Organizational Unit to add the user to. Here, I've left it the default option, which is to add the user to your top-level Organizational Unit. But you can add new users directly to any Organizational Unit you've already created. Once you have your Organizational Units built out, make sure new users get added to the right unit during your onboarding processes. This will keep

Source: https://usefyi.com/g-suite-organization/

61. The organizational tree includes different organizational units (or groups) and provides a logical and hierarchical structure where the organizational units are placed at different logical levels.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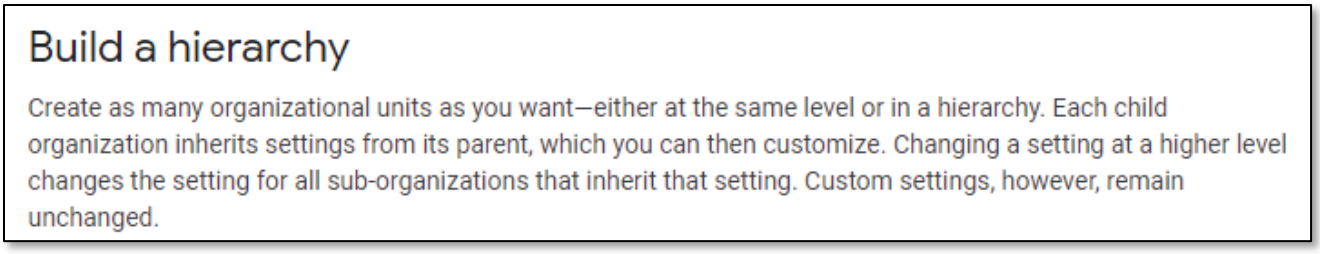
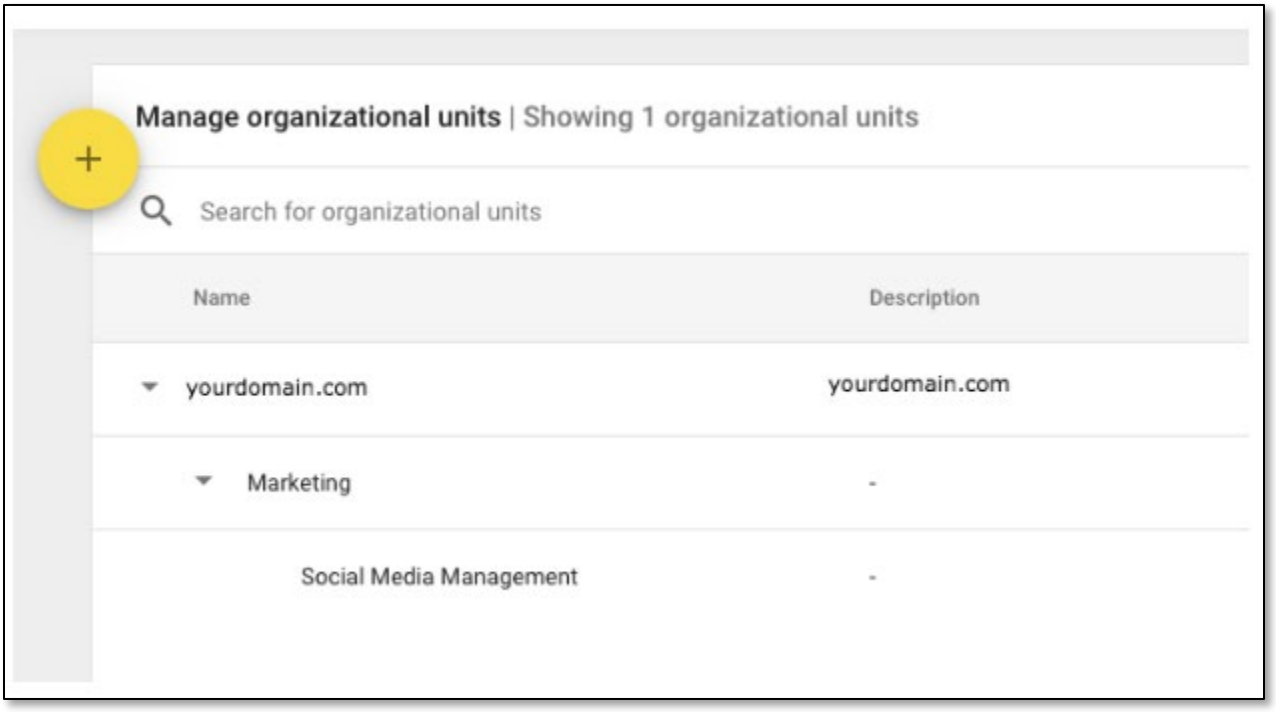


Source: https://support.google.com/a/answer/4352075.

62. The top logical level includes contact information that is common to all lower levels. For example, the top-level in an organization tree (e.g. yourdomain.com) includes contact information for all the users in the organization. These users can be present in different units at the below level too.



Source: https://usefyi.com/g-suite-organization/.

> Every G Suite domain starts with one top-level Organizational Unit that encompasses all users and services. It's one big box with everyone and everything in it. It usually has the same name as your domain. Within this, you can create as many or as few sub-organizations as you want, building an organizational structure to keep track of them at the same time.

Source: https://usefyi.com/g-suite-organization/

63. The organizational units inherit settings from their parent organization. For example, users in an organizational unit named "Sales" created under "yourdomain.com" will have the same permissions and settings as users in the parent. This will continue for further sub-organizational units. This shows that items on the top logical level comprise links to items on a lower logical level which comprises links to items on a further lower logical level.

> When you create a new Organizational Unit, it inherits the settings from its parent organization. So if you set up an Organizational Unit for your Sales team, everyone who is a member of the "Sales" Organizational Unit will have the same permissions and settings as everyone who is a member of 'yourdomain.com.' After the Organizational Unit is created, you can change the settings of that specific Organizational Unit to whatever you want.

Source: https://usefyi.com/g-suite-organization/

64. In view of preceding paragraphs, each and every element of at least claim 9 of the '928 Patent is found in the Accused Products.

65. Google continues to directly infringe at least one claim of the '928 Patent, literally or under the doctrine of equivalents, by making, using, selling, offering for sale, importing, and/or

distributing the Accused Products in the United States, including within this judicial district, without the authority of Brazos.

66. Google has received notice and actual or constructive knowledge of the '928 Patent since at least the date of service of this Complaint.

67. Since at least the date of service of this Complaint, through its actions, Google has actively induced product makers, distributors, retailers, and/or end users of the Accused Products to infringe the '928 Patent throughout the United States, including within this judicial district, by, among other things, advertising and promoting the use of the Accused Products in various websites, including providing and disseminating product descriptions, operating manuals, and other instructions on how to implement and configure the Accused Products. Examples of such advertising, promoting, and/or instructing include the documents at:

- https://support.google.com/a/answer/1628009?hl=en&ref_topic=20016
- https://support.google.com/a/users/answer/7334174?hl=en&ref_topic=9335739
- https://store.google.com/product/pixel_3_specs
- https://support.google.com/a/users/answer/190930?hl=en
- https://play.google.com/store/apps/details?id=com.google.android.apps.enterprise.dmagent
- https://support.google.com/a/answer/6191788?hl=en&ref_topic=20016
- https://support.google.com/a/answer/4352075
- https://usefyi.com/g-suite-organization/
- https://support.google.com/a/answer/7566446?hl=en&ref_topic=20016
- https://developers.google.com/admin-sdk/directory/v1/guides/manage-org-units
- https://voyzu.com/gsuite-contacts-explained.html

68. Since at least the date of service of this Complaint, through its actions, Google has contributed to the infringement of the '928 Patent by having others sell, offer for sale, or use the

Accused Products throughout the United States, including within this judicial district, with knowledge that the Accused Products infringe the '928 Patent. The Accused Products are especially made or adapted for infringing the '928 Patent and have no substantial non-infringing use. For example, in view of the preceding paragraphs, the Accused Products contain functionality which is material to at least one claim of the '928 Patent.

JURY DEMAND

Brazos hereby demands a jury on all issues so triable.

REQUEST FOR RELIEF

WHEREFORE, Brazos respectfully requests that the Court:

(A) Enter judgment that Google infringes one or more claims of the '928 Patent literally and/or under the doctrine of equivalents;

(B) Enter judgment that Google has induced infringement and continues to induce infringement of one or more claims of the '928 Patent;

(C) Enter judgment that Google has contributed to and continues to contribute to the infringement of one or more claims of the '928 Patent;

(D) Award Brazos damages, to be paid by Google in an amount adequate to compensate Brazos for such damages, together with pre-judgment and post-judgment interest for the infringement by Google of the '928 Patent through the date such judgment is entered in accordance with 35 U.S.C. § 284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. § 284;

(E) Declare this case exceptional pursuant to 35 U.S.C. § 285; and

(F) Award Brazos its costs, disbursements, attorneys' fees, and such further and additional relief as is deemed appropriate by this Court.

Dated: June 29, 2020

Respectfully submitted,

/s/ James L. Etheridge

James L. Etheridge
Texas State Bar No. 24059147
Ryan S. Loveless
Texas State Bar No. 24036997
Travis L. Richins
Texas State Bar No. 24061296

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